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IPSOLON LLP 111 SW COLUMBIA SUITE 710 PORTLAND, OR 97201			JOO, JOSHUA	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/734,484	Applicant(s) CHANG, WILLIAM HO	
	Examiner JOSHUA JOO	Art Unit 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-19,21-23 and 39-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-19,21-23 and 39-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2154

Detailed Action

1. This Office action is in response to communication dated 05/27/2008.
Claims 1, 3-19, 21-23, 39-55 are presented for examination.

2. Oath or Declaration dated 12/12/2003 is accepted.

Response to Remarks

3. Applicant's election without traverse of claims 1-23 of group 1 is acknowledged.

Specification

4. The disclosure is objected to because of the following informalities:

The specification does not make a reference to the provisional application in the first sentence of the specification. See MPEP 201.11

Appropriate correction is required.

Claim Objections

5. Claims 3, 48, and 55 are objected to because of the following informalities:
 - i) Regarding claims 3 and 55, in the phrase, "passing the data content from computer software application", "computer software application" should be changed to "the computer software application" to clearly refer to the previous cited computer software application.
 - ii) Regarding claim 48, in the phrase, "passing the data content from software application", "software application" should be changed to "the software application" to clearly refer to the previously cited computer software application of claim 48.
 - ii) Regarding claim 55, there appears to be a period at the phrase ending "passing the data content from computer software application to the data output service of the second computing device; and."

Art Unit: 2154

Double Patenting

6. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

7. Claims 1, 19, and 48 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 19 of copending Application No. 10/734481 (‘481 application hereinafter).

Copending Application 10/734481 Claim 1	Instant Application: 10/734484 Claim 1
<u>A wireless data output communication, comprising: a device interface connectable to an external interface of a first computing device with a data output service;</u>	<u>connecting a wireless communication device to an external interface of a first computing device with a data output service;</u>
<u>a memory component storing autorun software and a computer software application, the autorun software being operable to install and execute the computer software application on the first computing device automatically upon connection of the device interface to the external interface of the first computing device, the computer software application providing access to the data output service of the first computing device;</u>	<u>installing and executing on the first computing device a computer software application from a memory component of the communication device, automatically upon connection of the wireless communication device to the external interface of the first computing device the computer software application providing access to the data output service of the first computing device for a second computing device via wireless communication;</u>

Art Unit: 2154

<p>a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service, <u>the wireless communication component being operable to receive the data content from the second computing device via wireless communication and to deliver the data content to the computer software application on the first computing device, wherein the computer software application delivers the data content to the data output service to obtain output of the data content.</u></p>	<p><u>transmitting by wireless communication data content from a second computing device to the communication device;</u></p>
	<p><u>passing the data content from the communication device to the first computing device; and</u></p>
	<p><u>passing the data content from first computing device to the data output service associated with the first computing device.</u></p>

Copending Application 10/734481 Claim 19	Instant Application: 10/734484 Claim 19
<p>A wireless data output communication device, comprising: a device interface connectable to an external interface of a first computing device with a data output service; memory component storing a computer software application and <u>including storage capacity for storing data content</u>, the computer software application being operable to provide access to the data output service of the first computing device;</p>	<p><u>transmitting by wireless communication data content from a first computing device to a wireless data output communication device;</u></p>
	<p><u>storing the data content in a memory component of the communication device;</u></p>
	<p><u>connecting the communication device to an external interface of a second computing device with a data output service;</u></p> <p><u>installing and executing on the second computing device a computer software application from a memory component of the communication device, automatically upon connection of the wireless communication device to the external interface of the second computing device, the computer software application providing access to the data output service of the second computing device;</u></p>

Art Unit: 2154

and a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service, <u>the wireless communication component being operable to receive the data content from the second computing device via wireless communication and to store the data content in the memory component,</u>	<u>passing the data content from the communication device to the computing software application on the second computing device; and</u>
wherein <u>the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device, the data content then being deliverable to the data output service via the computer software application to obtain output of the data content.</u>	<u>passing the data content from computer software application to the data output service of the second computing device.</u>

Copending Application 10/734481 Claim 19	Instant Application: 10/734484 Claim 48
A wireless data output communication device, comprising: a device interface connectable to an external interface of a first computing device with a data output service;	<u>connecting a wireless communication device to an external interface of a first computing device with a data output service;</u>
memory component storing a computer software application and <u>including storage capacity for storing data content,</u> the computer software application being operable to provide access to the data output service of the first computing device;	<u>installing and executing on the first computing device a software application from the memory component, the software application providing access to the data output service of the first computing device for a second computing device via wireless communication;</u>
and a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service, <u>the wireless communication component being operable to receive the data content from the second computing device via wireless communication and to store the data content in the memory component,</u>	<u>transmitting by wireless communication data content from a second computing device to the communication device;</u>
wherein <u>the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device, the data content then being deliverable to the data</u>	<u>storing the data content in a memory component of the communication device;</u>
	<u>retrieving the data content from a memory component of the communication device and passing the data content from the communication device to the software application on the first computing device; and</u>

<u>output service via the computer software application to obtain output of the data content.</u>	<u>passing the data content from first computing device to the data output service associated with the first computing device.</u>
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8. Although the conflicting claims are not identical, they are not patentably distinct from each other because:

9. As per claim 1 of the instant application, claim 1 of the copending application '481 discloses all the features of the claim 1 of the instant application with differences being minor variations in the wording and phrasing of the claims. However, all the limitations of claim 1 of the instant application are disclosed in a varying phrasing in the claim 1 of the copending application.

10. As per claim 19 of the instant application, claim 19 of the copending application '481 discloses of installing and executing a computer software application upon connection to the external but does not expressly disclose "automatically". Kouperchliak teaches a method of installing and executing on a computing device a computer software application from a memory component on a device automatically upon connection of the device to the external interface of the computing device (Abstract. Paragraph 0036; 0041-0042.). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to install and execute the computer software application on the first computing device automatically upon connection of the device to the external interface of the first computing device, which would allow efficient installation of software that allows interaction between devices without user intervention. Regarding the remainder of the claim 19 of the instant application, claim 19 of the copending application discloses rest of the features of claim 19 of the instant application with minor variations in the wording and phrasing of the claims.

11. As per claim 48 of the instant application, claim 19 of the copending application '481 discloses the features of the claim 48 of the instant application with differences being minor variations in the wording and phrasing of the claims. However, all the limitations of claim 48 of the instant application are

Art Unit: 2154

disclosed in a varying phrasing in the claim 19 of the copending application.

12. Claim 55 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 19 and 21 of copending Application No. 10/734481 ('481 application hereinafter), in view of Kouperchliak et al. US Publication #2003/0046447 (Kouperchliak hereinafter) and Kusuda, US Publication #2002/0083430 (Kusuda hereinafter).

Copending Application 10/734481 Claim 19	Instant Application: 10/734484 Claim 55
A wireless data output communication device, comprising: a device interface connectable to an external interface of a first computing device with a data output service;	<u>connecting a data communication device with a memory component to an external interface of a first computing device;</u>
memory component storing a computer software application and <u>including storage capacity for storing data content</u> , the computer software application being operable to provide access to the data output service of the first computing device;	<u>transmitting data content from the first computing device to the data communication device, storing the data content in the memory component of the data communication device, and disconnecting the data communication device from the external interface of the first computing device;</u>
and a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service, <u>the wireless communication component being operable to receive the data content from the second computing device via wireless communication and to store the data content in the memory component,</u>	<u>connecting the communication device to an external interface of a second computing device with a data output service, installing and executing on the second computing device a computer software application from a protected private component of the memory component automatically upon connection of the communication device to the external interface of the second computing device, the computer software application providing access to the data output service of the second computing device;</u>
wherein <u>the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device, the data content then being deliverable to the data output service via the computer software application to obtain output of the data content.</u>	
Claim 21 The communication device of claim 20 in which one of the autorun software and the computer software application is further operable to <u>uninstall the computer software application from</u>	<u>passing the data content from the memory component of the communication device to the computer software application on the second computing device and passing the data content from computer software application to the data output service of the second computing device;</u>

Art Unit: 2154

<u>the first computing device automatically upon disconnection of the device interface from the external interface of the first computing device.</u>	<u>and.</u>
	<u>disconnecting the communication device from the external interface of the second computing device and automatically uninstalling the software application from the second computing device,</u> including automatically deleting any temporary files used by the software application residing in the computing device.

13. As per claim 55 of the instant application, claims 19 and 21 of the copending application '481 discloses substantially the features of the claim 55 of the instant application with differences being minor variations in the wording and phrasing of the claims. The claims 19 and 21 of the copending application does not disclose of protected private memory and automatically deleting any temporary files used by the software application residing the computing device.

14. Kouperchliak teaches a method installing and executing on a computing device, computer software application from a protected private component of a memory component automatically upon connection of the device to the external interface of the computing device (Abstract. Paragraphs 0036; 0041-0042; 0046). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to comprise a memory component storing a computer software application, installing and executing the computer software application from a protected private memory, which would allow efficient installation of software that allows interaction between devices without user intervention and prevent unauthorized modification of memory segments..

15. Kusuda teaches of automatically installing computer software on a computing device upon connection of a device and automatically uninstalling the computer software from the computer upon disconnection from the device including automatically deleting any temporary files used by the software application residing in the computing device (Paragraphs 0009; 0052; 0060; 0093-0094). It would have

Art Unit: 2154

been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to automatically uninstall software application from the computing device upon disconnection from the device including automatically deleting any temporary files used by the software application residing in the computing device, which would allow removal of unused software which would increase memory space for the computing device and allow uninstalling of software without user action.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 112

16. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

17. Claims 1, 3-19, 21-23, 39-55 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- i) Regarding claims 1, 3-4, 19, 21, 23, 48, and 55, “the communication device” has insufficient antecedent basis.
- ii) Regarding claim 3, “the wireless data output communication device” has insufficient antecedent basis.
- iii) Regarding claim 42, “the computer software” has insufficient antecedent basis.
- iv) Regarding claim 48, “the memory component” has insufficient antecedent basis.
- v) Regarding claim 51, “the computer software application” has insufficient antecedent basis.
- vi) Regarding claim 55, “the software application” and “the computing device” has insufficient antecedent basis.

Claim Rejections - 35 USC § 103

Art Unit: 2154

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 1, 4-5, 10, 14, 19, 23, 39, 43, 45-49, 51, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser et al. US Patent #5,982,520 (Weiser hereinafter), in view of Kouperchliak.

20. As per claim 1, Weiser teaches substantially the invention as claimed including a communication method, comprising:

connecting a wireless communication device to an external interface of a first computing device with a data output service (col. 4, lines 32-40. Personal storage device in communication with a computing device, e.g. PDA, notebook, workstation.);

transmitting by wireless communication data content from a second computing device to the communication device (col. 4, lines 44-53. Device(s) is able to wirelessly transfer information to the personal storage device. col. 2, line 10-18. Example of data includes URLs, personal info, advertising.);

executing on the first computing device a computer software application, the computer software application providing access to the data output service of the first computing device for a second computing device via wireless communication (col. 5, lines 18-25, 37-40. Application(s) on computer to transfer and synchronize data files from personal storage device.);

passing the data content from the communication device to the first computing device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Personal storage device may function as a temporary storage device. Receive information from the personal storage device.); and

Art Unit: 2154

passing the data content from first computing device to the data output service with the first computing device (col. 4, lines 35-40. Computer having monitor.).

21. Weiser does not specifically teach of installing on the first computing device a computer software application from a memory component on the communication device automatically upon connection of the wireless communication device to the external interface of the first computing device.

22. Kouperchliak teaches a method of installing and executing on a computing device a computer software application from a memory component on a device automatically upon connection of the device to the external interface of the computing device (Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

23. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Weiser to comprise a memory component storing a computer software application, installing and executing the computer software application on the first computing device automatically upon connection of the device to the external interface of the first computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Weiser's system by providing the communication device and the computer with proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

24. As per claim 19, Weiser teaches substantially the invention as claimed including a data communication method, comprising:

transmitting by wireless communication data content from a first computing device to a wireless data output communication device (col. 4, lines 44-53. Device(s) is able to wirelessly transfer information to the personal storage device.);

Art Unit: 2154

storing the data content in memory component of the communication device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Personal storage device may function as a temporary storage device.);

connecting the communication device to an external interface of a second computing device with a data output service (col. 4, lines 32-40. Personal storage device in communication with a computing device, e.g. PDA, notebook, workstation.);

executing on the second computing device a computer software application, the computer software application providing access to the data output service of the second computing device (col. 5, lines 18-25, 37-40. Application(s) on computer to transfer and synchronize data files from personal storage device.);

passing the data content from the communication device to the computer software application on the second computing device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Receive information from the personal storage device.); and

passing the data content from computer software to the data output service of the second computing device (col. 4, lines 35-40. Computer having monitor.).

25. Weiser does not specifically teach of installing on the second computing device a computer software application from the memory component automatically upon connection of the communication device to the external interface of the second computing device.

26. Kouperchliak teaches a method of installing and executing on a computing device a computer software application from a memory component on a device automatically upon connection of the device to the external interface of the computing device (Abstract. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Weiser to comprise a memory

Art Unit: 2154

component storing a computer software application, installing and executing the computer software application on the second computing device automatically upon connection of the device to the external interface of the second computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Weiser's system by providing the communication device and the computer with proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

28. As per claim 48, Weiser teaches substantially the invention as claimed including a wireless data communication method, comprising:

connecting a wireless communication device to an external interface of a first computing device with a data output component (col. 4, lines 32-40. Personal storage device in communication with a computing device, e.g. PDA, notebook, workstation.);

executing on the first computing device a software application, the software application providing access to the data output component of the first computing device (col. 5, lines 18-25, 37-40.

Application(s) on computer to transfer and synchronize data files from personal storage device. col. 4, lines 35-40. Computer having monitor.);

transmitting by wireless communication data content from a second computing device to the wireless communication device (col. 4, lines 44-53. Device(s) is able to wirelessly transfer information to the personal storage device. col. 2, line 10-18. Example of data includes URLs, personal info, advertising.);

storing the data content in a memory component of the communication device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Personal storage device may function as a temporary storage device.);

Art Unit: 2154

retrieving the data content from a memory component of the communication device and passing the data content from the communication device to the software application on the first computing device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Receive information from the personal storage device.); and

passing the data content from software application to the data output component of the first computing device (col. 4, lines 35-40. Computer having monitor.).

29. Weiser does not specifically teach of installing on the first computing device a software application from the memory component.

30. Kouperchliak teaches a method comprising of installing and executing on a computing device, computer software application from a memory component on a device automatically upon connection of the device to the external interface of the computing device (Abstract. Software permits interaction between device and computer. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Weiser to comprise a memory component storing a computer software application, installing and executing the computer software application on the first computing device automatically upon connection of the device to the external interface of the first computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Weiser's system by providing the communication device and the computer with proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

Art Unit: 2154

32. As per claim 4, Weiser teaches the method of claim 1 in which transmitting the data content to the communication device includes storing the data content in the memory component of the communication device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Personal storage device may function as a temporary storage device.).

33. As per claim 5, Weiser teaches the method of claim 4 in which the memory component includes a program memory segment and a file storage segment, the file storage segment being accessible by the second computing device to store the data content (col. 5, lines 5-12. Applications stored in memory. col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Personal storage device may function as a temporary storage device. col. 8, lines 1-5, 30-38. Receive packet for read.). Weiser does not specifically teach the program memory segment storing the computer software application and not being accessible by the second computing device.

34. Kouperchliak teaches of a program memory segment storing a computer software application that is installed on a computing device and the computer software application not being accessible by a computing device (Paragraphs 0036; 0041-0042. When the device is plugged, auto play application loads and installs software. Paragraph 0046. Read-only memory. Thus, write access is not allowed.).

35. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the program memory segment as taught by Weiser to comprise the computer software application and for the computer software application to not be accessible to a computing device such as the second computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve the suggested system by providing the communication device and the computer with proper software to allow interaction between the device and the computer without user intervention and preventing unwanted or unauthorized modification of memory.

Art Unit: 2154

36. As per claims 10 and 43, Weiser teaches the invention of claims 1 and 19 in which the data output service includes displaying the data content on a display device (col. 4, lines 35-40. Computer having monitor.).

37. As per claim 14, Weiser teaches the method of claim 1 in which the second computing device includes a mobile computing device (col. 4, lines 38-42. Notebook computer.).

38. As per claim 23, Weiser teaches the method of claim 19 in which the communication device includes battery operable to power operation of the communication device (col. 5, lines 1-4. Battery.).

39. As per claim 39, Weiser does not specifically teach the method of claim 1 in which the computer software application is stored in a protected private memory component of the communication device.

40. Kouperchliak teaches a method comprising of installing and executing on a computing device, computer software application from a protected private component of a memory component (Paragraph 0036; 0041-0042. When the device is plugged, auto play application loads and installs software. Paragraph 0046. Read-only memory.).

41. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Weiser to comprise a memory component storing a computer software application in a protected private memory component. The motivation for the suggested combination is that Kouperchliak's teachings would improve Weiser's system by preventing modification and unauthorized access to the memory component. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

Art Unit: 2154

42. As per claims 45 and 54, Weiser teaches the invention of claims 19 and 48 in which the data content includes one or more of video data content, sound data content, document data content, and projection data content (col. 2, lines 10-18; col. 5, lines 63-67. Name, address, medical/personal information.).

43. As per claim 46, Weiser teaches the method of claim 19 in which the first computing device is a mobile device (fig. 1; col. 4, lines 38-40. PDA, notebook.).

44. As per claim 47, Weiser teaches the method of claim 19 in which the second computing device is a mobile device (fig. 1; col. 4, lines 38-40. PDA, notebook.).

45. As per claim 49, Weiser teaches the method of claim 48 in which the output component includes a display screen (col. 4, lines 35-40. Computer having monitor.).

46. As per claim 51, Weiser does not specifically teach the method of claim 48 in which the computer software application is installed and executed automatically upon connection of the communication device to the external interface of the first computing device.

47. Kouperchliak teaches a method comprising of installing and executing on a computing device, computer software application automatically upon connection of the device to the external interface of the computing device (Abstract. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

48. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the software application to be installed and executed automatically upon connection of the device to the external interface of the computing device. The motivation for the

Art Unit: 2154

suggested combination is that Kouperchliak's teachings would improve Weiser's system by providing the communication device and the computer with proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

49. Claims 3 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Kusuda.

50. As per claim 3, Weiser teaches the method of claim 1, further comprising: disconnecting the wireless data output communication device from the external interface of the first computing device after passing the data content from computer software application to the data output service (col. 5, lines 19-25, 29-40. Transfer of data. Connection by proximity. col. 4, lines 44-48; col. 5, lines 34-39. Connect to different devices.). Weiser does not specifically teach of automatically uninstalling the computer software application from the first computing device upon disconnection of the communication device from the external interface of the first computing device.

51. Kusuda teaches of automatically installing computer software on a computing device upon connection of a device and automatically uninstalling the computer software from the computer upon disconnection from the device (Paragraphs 0009; 0052; 0060; 0093-0094).

52. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to automatically uninstall software application from the computing device upon disconnection from the device. The motivation for the suggested combination is that Kusuda's teachings would improve the suggested system by allowing removal of unused software which would increase memory space for the computing device and allowing uninstalling of software without user action.

Art Unit: 2154

53. As per claim, 21, Weiser teaches the method of claim 19, further comprising: disconnecting the wireless data output communication device from the external interface of the second computing device after passing the data content from computer software application to the data output service (col. 5, lines 19-25, 29-40. Transfer of data. Connection by proximity. col. 4, lines 44-48; col. 5, lines 34-39. Connect to different devices.). Weiser does not specifically teach of automatically uninstalling the computer software application from the second computing device upon disconnection of the communication device from the external interface of the second computing device.

54. Kusuda teaches of automatically installing computer software on a computing device upon connection of a device and automatically uninstalling the computer software from the computer upon disconnection from the device (Paragraphs 0009; 0052; 0060; 0093-0094).

55. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to automatically uninstall software application from the computing device upon disconnection from the device. The motivation for the suggested combination is that Kusuda's teachings would improve the suggested system by allowing removal of unused software which would increase memory space for the computing device and allowing uninstalling of software without user action.

56. Claims 6-7, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Agam et al. US Publication #2003/0087601 (Agam hereinafter).

57. As per claim 6, Weiser does not specifically teach the method of claim 1 in which the external interface corresponds to a universal serial bus interface.

58. Agam teaches of a device enabling communication between two devices, wherein the external interface corresponds to a universal serial bus interface (Paragraph 0059).

Art Unit: 2154

59. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the external interface as taught by Weiser to correspond to a universal serial bus interface as taught by Agam. The motivation for the suggested combination is that Agam's teachings would improve the suggested system by enabling high rates of data transfer between devices and providing simplified configuration with other devices.

60. As per claim 7, Weiser does not specifically teach the method of claim 1 in which the wireless communication corresponds to a Bluetooth standard of wireless communication.

61. Agam teaches of a device enabling communication between two computing devices, wherein the wireless communication corresponds to a Bluetooth standard of wireless communication (Paragraphs 0038; 0041.).

62. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the wireless communication as taught by Weiser to correspond to a Bluetooth standard of wireless communication as taught by Agam. The motivation for the suggested combination is that Agam's teachings would improve the suggested system by allowing wireless communication among devices without concern for line-of-sight and allowing compatibility and communication with other Bluetooth enabled devices.

63. As per claim 12, Weiser does not specifically teach the method of claim 1 in which the device is configured as a dongle.

64. Agam teaches of a device enabling communication between two computing devices, wherein the device is configured as a dongle (fig. 1; Paragraphs 0020; 0059).

Art Unit: 2154

65. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the device to be configured as a dongle device. The motivation for the suggested combination is that Agam's teachings would improve the capability of the device by allowing the device to be used for security-related operations.

66. As per claim 13, Weiser does not specifically teach the method of claim 1 in which the second computing device includes a wireless mobile telephone.

67. Agam teaches of a device enabling communication between two computing devices, wherein a computing device includes a wireless mobile telephone (Paragraph 0001).

68. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the computing device to include a wireless mobile telephone. The motivation for the suggested combination is that Agam's teachings would improve the suggested system by enabling data transfers using a commonly used personal device, i.e. mobile telephone. Furthermore, Agam's teachings would allow wireless communication using various types of communications protocols.

69. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Adams et al. US Publication #2002/0083151 (Adams hereinafter).

70. As per claim 8, Weiser does not specifically teach the method of claim 1 in which the wireless communication corresponds to a IEEE 802.11 standard of wireless communication.

71. Adam teaches of an appliance enabling storage between a remote device and a computer, wherein a wireless communication corresponds to an IEEE 802.11 standard of wireless communication (Paragraph 0014).

Art Unit: 2154

72. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the wireless communication as taught by Weiser to correspond to an IEEE 802.11 standard of wireless communication. The motivation for the suggested combination is that Adam's teachings would improve the suggested system by implementing a standard for wireless communication that provides easy support and management of packets.

73. Claims 9, 17, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Motoyama, US Patent #7,136,914 (Motoyama hereinafter).

74. As per claim 9, Weiser does not specifically teach the method of claim 1 in which the data output service includes printing the data content to one or more selected printers.

75. Motoyama teaches of a system for connecting devices wirelessly, wherein a computer may output data to one or more printers (col. 3, lines 62-65; col. 4, line 64-col. 5, line 4).

76. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the data output service to include printing data content to one or more printers associated with computer. The motivation for the suggested combination is that Motoyama's teachings would improve the suggested system by enabling printing of content between devices.

77. As per claims 17 and 53, Weiser does not specifically teach the invention of claims 1 and 48 in which the output service includes one or more printers.

78. Motoyama teaches of a system for connecting devices wirelessly, wherein a computer may output data to one or more printers (col. 3, lines 62-65; col. 4, line 64-col. 5, line 4).

79. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the data output service to include printing data content to one or more

Art Unit: 2154

printers associated with computer. The motivation for the suggested combination is that Motoyama's teachings would improve the suggested system by enabling printing of content between devices.

80. Claims 11, 40, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Olson et al. US Patent #7,055,956 (Olson hereinafter).

81. As per claims 11 and 50, Weiser does not specifically teach the invention of claims 10 and 48 in which the data output service includes a projector for projecting the data content onto a projection screen.

82. Olson teaches of a data output service that includes projector for projecting data content onto a projection screen (col. 2, lines 54-64).

83. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the data output service include projecting data content onto a projection screen. The motivation for the suggested combination is that Olson's teachings would improve the suggested system by allowing application of the suggested system for different uses such as allowing easy transfer of images from different devices to a projector as suggested by Olson(col. 1, lines 55-61).

84. As per claim 40, Weiser does not specifically teach the method of claim 1 in which the wireless communication correspond to a Zigbee standard of wireless communication.

85. Olson teaches of a wireless communication corresponding to a Zigbee standard of wireless communication (col. 4, lines 1-6).

86. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the wireless communication to correspond to a Zigbee standard of wireless communication. The motivation for the suggested combination is that Olson's teachings of a Zigbee

Art Unit: 2154

standard would improve the suggested system by enabling the suggested system to be implemented in a low-cost, low powered wireless environment.

87. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of McIntyre et al. US Patent #7,243,153 (McIntyre hereinafter).

88. As per claim 15, Weiser does not specifically teach the method of claim 1 in which the second computing device includes a digital camera.

89. McIntyre teaches of a digital camera communicating wirelessly to a computing device (col. 5, lines 15-32).

90. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the second computing device as taught by Weiser to include a digital camera as taught by McIntyre. The motivation for the suggested combination is that McIntyre's teachings of a digital camera would increase the practical application of the system by enabling communication between other types of commonly owned and used devices.

91. Claims 16, 22, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Wong et al. US Publication #2004/0203694 (Wong hereinafter).

92. As per claims 16 and 22, Weiser does not specifically teach the invention of claims 1 and 19 in which the computer software application includes a wireless communication stack component.

93. Wong teaches a system for reconfiguration to enable wireless communication, wherein a wireless communication stack component may be installed on a host (Paragraphs 0014; 0019).

94. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the computer software application as taught by the suggested system to

Art Unit: 2154

include a wireless communication stack component as taught by Wong. The motivation for the suggested combination is that Wong's teachings would improve the suggested system by providing computing devices with software to operate wirelessly and allowing the computing devices to support different wireless communications.

95. As per claim 42, Weiser teaches of a first computing device with wireless capability to communicate with a second computing device (col. 4, lines 44-48; col. 5, lines 34-37). Weiser does not specifically teach that the computer software includes a wireless application software that provides the wireless capability.

96. Wong teaches a system for reconfiguration to enable wireless communication, wherein a wireless application software provides wireless capability to a computing device (Paragraphs 0014; 0019).

97. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the computer software application as taught by the suggested system to include a wireless application software that provides wireless capability as taught by Wong. The motivation for the suggested combination is that Wong's teachings would improve the suggested system by providing computing devices with software to operate wirelessly and allowing the computing devices to support different wireless communications.

98. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Suomela, US Patent #6,885,362 (Suomela hereinafter).

99. As per claim 18, Weiser does not specifically teach the method of claim 1 further comprising selecting one or more output devices at the second computing device prior to transmitting by wireless communication computer information from the second computing device to the first computing device.

Art Unit: 2154

100. Suomela teaches a system for enabling a wireless terminal to operate devices comprising of selecting one or more output devices at a second computing device prior to transmitting by wireless communication computer information from the second computing device to the first computing device (col. 3, lines 44-52; col. 7, lines 61-67).

101. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the suggested system to further comprise selecting one or more output devices at the second computing device prior to transmitting by wireless communication computer information from the second computing device to the first computing device. The motivation for the suggested combination is that Suomela's teachings would improve the suggested system by enabling convenient wireless control of devices.

102. Claims 41, 44, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser and Kouperchliak, in view of Dischert et al. US Patent #7,102,691 (Dischert hereinafter).

103. As per claims 41, 44, and 52, Weiser does not specifically teach the invention of claims 10, 19, and 48 in which the data output service includes outputting digital content to a sound output device.

104. Dischert teaches a system for enabling a wireless terminal to operate a computing device, wherein a data output service includes outputting digital content to a sound output device (col. 5, lines 61-67).

105. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the data output service to include outputting digital content to a sound output device. The motivation for the suggested combination is that Dischert's teachings would enable wireless and/or remote operation of different services of a computing device.

Art Unit: 2154

106. Claim 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weiser, in view of Kouperchliak and Kusuda.

107. As per claim 55, Weiser teaches substantially the invention as claimed including a data communication method, comprising:

connecting a data communication device with a memory component to an external interface of a first computing device (col. 4, lines 32-40. Personal storage device in communication with a computing device, e.g. PDA, notebook, workstation.);

transmitting data content from the first computing device to the data communication device, storing the data content in the memory component of the data communication device (col. 4, lines 44-53. Device(s) is able to wirelessly transfer information to the personal storage device.), and disconnecting the data communication device from the external interface of the first computing device (col. 5, lines 19-25, 29-40. Transfer of data. Connection by proximity. col. 4, lines 44-48; col. 5, lines 34-39. Connect to different devices.);

connecting the communication to an external interface of a second computing device with a data output service, executing on the second computing device a computer software application, the computer software application providing access to the data output service of the second computing device (col. 5, lines 18-25, 37-40. Application(s) on computer to transfer and synchronize data files from personal storage device.);

passing the data content from the memory component of the communication device to the computer software application on the second computing device and passing the data content from computer software application to the data output service of the second computing device (col. 4, lines 44-47, 57-63; col. 5, lines 36-49. Personal storage device may function as a temporary storage device. Receive information from the personal storage device. col. 4, lines 35-40. Computer having monitor.); and

Art Unit: 2154

disconnecting the communication device from the external interface of the second computing device (col. 5, lines 19-25, 29-40. Connection by proximity. col. 4, lines 44-48; col. 5, lines 34-39. Connect to different devices.).

108. Weiser does not specifically teach of installing on the second computing device a computer software application from a protected private component of the memory component automatically upon connection of the communication device to the external interface of the second computing device; and automatically uninstalling the software application from the second computing device, including automatically deleting any temporary files used by the software application residing in the computing device.

109. Kouperchliak teaches a method comprising of installing and executing on a computing device, computer software application from a protected private component of a memory component automatically upon connection of the device to the external interface of the computing device (Abstract. Software permits interaction between device and computer. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software. Paragraph 0046. Read-only memory.).

110. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Weiser to comprise a memory component storing a computer software application, installing and executing the computer software application from the protected private memory on the first computing device automatically upon connection of the device to the external interface of the first computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Weiser's system by providing the communication device and the computer with proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

Art Unit: 2154

111. Weiser and Kouperchliak do not specifically teach of automatically uninstalling the software application from the second computing device, including automatically deleting any temporary files used by the software application residing in the computing device.

112. Kusuda teaches of automatically installing computer software on a computing device upon connection of a device and automatically uninstalling the computer software from the computer upon disconnection from the device including automatically deleting any temporary files used by the software application residing in the computing device (Paragraphs 0009; 0052; 0060; 0093-0094).

113. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to automatically uninstall software application from the computing device upon disconnection from the device including automatically deleting any temporary files used by the software application residing in the computing device. The motivation for the suggested combination is that Kusuda's teachings would improve the suggested system by allowing removal of unused software which would increase memory space for the computing device, and allowing uninstalling of software without user action.

Conclusion

114. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

115. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

116. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2154

117. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/J. J./

Examiner, Art Unit 2154

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2154